

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPT
OF THE TRIAL COURT
Civil Action No.
2484CV00824

ADAM OWENS, ALVIN WALKER,
Petitioners,

v.

EDGAR P. BENJAMIN HEALTHCARE CENTER,
Respondent.

AFFIDAVIT OF VELMA BRINSON

I, Velma Brinson, make the following affidavit based on my personal knowledge, under the penalty of perjury that the following is true and correct:

1. I am a court-appointed guardian for several residents of the Edgar P. Benjamin Healthcare Center, which we also call the “Benjamin”. The facility is located at 120 Fisher Avenue, Boston, Massachusetts.
2. I have been a guardian for about 20 years representing over 200 persons during my career. I began my career in financial planning for long-term care.
3. My duties as guardian consist of on-site visits of the facility, monitoring medical care for the residents, meeting with the clinical team-including the facility doctor, nurses and

dietician-to create care plans for residents, and ensuring the facility staff is complying with medication plans. As guardian I am responsible for 90-day reports, annual reports, and monthly visits with residents. So, I am very familiar with the Benjamin and its patient care.

History With The Benjamin

4. My first guardianship of someone residing at the Benjamin began about 15 years ago. Since then, I have maintained guardianship of different residents at this facility consistently.
5. Up until recently, my experience with the facility was exceptional. I had no issues with one-to-one care for residents, and the staff was amenable and consistent. Under the previous administrator, patient care was a priority and every effort was made to keep the facility in top notch condition.

Current State Of The Benjamin

6. Within the last year, the quality of the facility has dramatically changed. I have noticed short staffing and that certain necessities aren't being provided to residents. For example, I am the current guardian to a resident that has been at the facility for more than a decade. When the quality of the facility declined, I considered having her transferred but am aware that any transfer will have a detrimental impact on her well-being possibly leading to her demise.
7. Resident care is also being neglected due to the current Administrator Tony Francis not adequately funding necessities for the residents. One example is the absence of HealthDrive, which is a mobile service that goes to long term care facilities to provide

podiatry care, dental care, audio care and mental health care to residents. If residents do not receive regular care, it could lead to serious health complications. For example, a diabetic resident requires regular exams by a podiatrist as diabetes affects the limbs. If not assessed properly by a professional, complications can quickly arise leading to serious effects and even required amputation.

8. Additionally, the equipment at the facility is not currently being adequately maintained or replaced, with compromises patient care. For example, one of my clients has a mattress that has been in use for at least 12 years. Particularly for older people who spend a great deal of time in bed and often have brittle bones, adequate bedding is very important. Sleeping on an old mattress can quickly lead to posture issues and decrease mobility.
9. I have also been disturbed that Mr. Francis has tried to transfer some of my clients out of the facility without informing me. It is my understanding that no transfers are supposed to be happening at this time, since the Department of Public Health has not formally approved the closure plan – but in any event, they definitely should not be occurring without involvement of the guardian. On March 12, 2024, I received a call from a staff member at a Medford facility stating 3 of my clients would be transferred from the Benjamin on the following day. As guardian, I must be informed and involved in any transfer of my clients. I was not informed of any plans for a transfer of my clients prior to the call on the 12th of March. I was able to put a stop to the transfer, but this is a prime example of Mr. Francis not following rules and regulations.
10. There is also a decrease in the quality of vendors and of the cleanliness of the facility. I have noticed that the food quality has decreased dramatically and have witnessed

residents eating and drinking from dirty silverware and dinnerware. This increases the risk of infection, which can be very dangerous for elderly people.

11. As a guardian of several Benjamin residents, I am extremely concerned with the way Mr. Francis is running the facility and am fearful for the safety of my residents under his administration.

Signed under pains and penalty of perjury this 27th day of March 2024.

Velma Brinson

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